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The House re-assembled after lunch at 3 o'clock with the hon. the Deputy President in the Chair.

ELECTION OF PRESIDENTS OF DISTRICT BOARDS.

Mr. A. RANGANATHA MUDALIYAR :—" Sir, I beg to move—

11. *That this Council recommends to the Government that all district boards should be given the right to elect their own presidents unless, for reasons to be notified in the "Fort St. George Gazette," the Government decide to the contrary."*

Mr. P. PEDDIRAZU :—" I rise to second the Resolution. And in rising to do so, I may say I have tabled a similar Resolution (No. 28 on the agenda) and I have no objection to accept the Motion that has been moved by my hon. Friend Mr. Ranganatha Mudaliyar."

The hon. the RAJA OF PANAGAL :—" Mr. President, I may say, Sir, that opinions have been recently expressed that the Government have been delaying to introduce the principle of giving district boards the right of electing their presidents. I admit, Sir, that the Government have been moving rather slowly and with caution in this direction. But if they have done so, they had their own reasons. In the first place, Sir, the district boards have been reconstituted and have been in a transition stage after the passing of the Local Boards Act of 1920. Secondly, the financial position of most of these boards was not satisfactory. For these reasons, the Government thought they could move only slowly in the matter. At present there are six boards enjoying this privilege. They are the district boards of Nellore, Madura, South Kanara, Kurnool and recently we have given the privilege of electing its president to each of the district boards of Tinnevely and Tanjore. Thus, Sir, out of 25 district boards, six enjoy this privilege. Sir, in this connexion, I should, with your permission, like to read from the report of the select committee in connexion with the passing of the Local Boards Act in 1920. The committee says :

' Under the original Bill, the president of a district board or taluk board and the chairman of a panchayat might be appointed by the Government or elected by the local board or panchayat if so authorised by the Government. And the president of a taluk board and the chairman of a panchayat might be an outsider. We think it essential that the president of a local board should be chosen from among its members. We discussed at some length the question whether presidents of local boards should not ordinarily be elected. In the case of district boards the interests involved are so large and important that for some time to come we would have the president carefully selected. We have therefore permitted the existing arrangements to continue and the Government will continue to have the power to appoint presidents of district boards and to permit their election. We think that the presidents of taluk boards should be elected unless the Government direct otherwise and that a union board president should always be elected. The vice-president of a district or taluk board should, in our opinion, be also always elected.'

" This, Sir, was the opinion of the select committee which consisted of a majority of non-officials. And it is therefore that the Government went on slowly in giving the boards the right to elect their presidents. As I have already stated, there was also the difficulty experienced on account of the financial embarrassments of the boards. Now that the financial position has become better and most of the district boards have had their representatives from the reconstituted taluk boards those difficulties do not stand in the way of the Government moving more rapidly in this direction. And my hon. Friend has worded his Resolution allowing room for retaining the nominated presidents where reasons existed for their retention. Sir, I have no objection

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to allow a board to elect its president, provided two-thirds of the members ask for election. I must also inform the House that there are boards where the Government may, for special reasons, have to appoint presidents from particular communities. I understand the hon. Mover's Resolution admits of such consideration. With these remarks I shall be glad to accept the Resolution."

Mr. S. SATYAMURTI :—" May I ask one question of the hon. the Chief Minister? I understood him, Sir, to say that he was willing to allow the privilege of election in the case of those district boards where two-thirds of the members ask for it. The House will see that the Resolution does not contemplate that condition. Does the hon. the Chief Minister move an Amendment to the Resolution now moved?"

The hon. the RAJA OF PANAGAL :—" I said that the Resolution as it is worded admits of such consideration."

Mr. YAHYA ALI SAHIB :—" May I now rise to oppose the Motion, Sir? If I rise to do so, it is because, as a representative of the Muhammadan community, I feel that the Resolution as at present worded does not furnish sufficient scope for the representatives of Muhammadans to become presidents of district boards. If I have the assurance that under the proviso that has been added to the Resolution by the hon. the Chief Minister the case of adequate representation of the Muhammadans has also been included, I mean if express provision is made with regard to that, I will withdraw my opposition. But as it is, I am absolutely sure that if the door of election is thrown open the opportunities of the Muhammadan community at any rate, so far as holding the posts of presidents of district boards is concerned, will not be sufficiently safeguarded. I therefore submit, Sir, that if a system of separate representation for the Muhammadans is provided in connexion with the principles of direct election to the district boards, it is not contemplated in the Local Boards Act Amendment Bill. The time has not yet come for us to consider the question of the extension of the principle of election so far as the office of the president of the district board is concerned. I wish therefore that this question may be deferred till the Local Boards Act Amendment Bill is brought forward. And unless proper safeguards are provided in the interests of the Muhammadan community I have to oppose the Motion. In the Motion as it is worded, I do not find any express provision for the representation of the Muhammadan community. I do not know, Sir, if I will be in order if I move an amendment to the Resolution at this stage. If I will be, I shall move it; if I am ruled out, I wish to be content with opposing the Motion. I pause for your permission, Sir."

The hon. the DEPUTY PRESIDENT (in the Chair) :—" Will you kindly send round the Amendment so that I may see if it fits in with the Resolution?"

3-15 p m.

Mr. YAHYA ALI SAHIB :—" Sir, my Amendment is just to safeguard representation of Muhammadans and other minority communities in the local bodies. I am sending it up, Sir."

Mr. P. L. MOORE :—" Sir, may I know if you are suspending the operation of the Standing Order for notice?"

The hon. the DEPUTY PRESIDENT :—" No, I am not doing anything. I am waiting to see what the Amendment is."

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The Amendment of Mr. Yahya Ali Sahib was handed to the Deputy President who after scrutinizing it said :—

“ I think the object of your Amendment could be obtained in some other way. This Amendment does not fit into the Resolution. I am afraid I cannot allow you to bring forward the Amendment and I must rule you out of order. The Resolution is about the right of electing its own president and how does the question of representation of Muhammadans or other minority interests in the local bodies arise here ? ”

Mr. YAHYA ALI SAHIB :—“ May I explain ? ”

The hon. the DEPUTY PRESIDENT :—“ I am sorry the matter is settled.”

At this stage the hon. the President arrived and took the Chair.

Mr. YAHYA ALI SAHIB :—“ I was submitting, Sir, before you arrived, that the Resolution as it stands does not provide sufficient safeguard for the adequate representation of my Muhammadan community and that therefore unless a particular Amendment is allowed the attitude of the Muhammadans will have only to be one to oppose the Motion. I request that permission may be given to suspend the rules regarding notice and to move an Amendment. If that is granted, I shall be very much obliged.”

Diwan Bahadur P. KESAVA PILLAI :—“ The matter has been settled.”

The hon. the PRESIDENT :—“ I understand that the Deputy President has refused to waive the Standing Order. Why has not the hon. Member sent his Amendment in time ? I see there are other Amendments by other hon. Members and surely there was time for the hon. Member, Mr. Yahya Ali Sahib, to have sent his Amendment in time.”

Mr. YAHYA ALI SAHIB :—“ Sir, I was somehow or other under the impression that the Resolution would not come up for discussion so soon and that it would have advanced to this state of discussion. I request your permission to move the Amendment.”

Mr. C. RAMALINGA REDDI :—“ He is a new Member, Sir, and he may be shown some indulgence in the matter, if you please.”

The hon. the PRESIDENT :—“ I do not think it should be allowed now ; but the hon. Member had better wait till we make some progress with the Motion and watch the trend of the debate and if he finds that the trend of the debate is such that it is necessary to put forward his Amendment, he may then do so.”

Diwan Bahadur P. KESAVA PILLAI :—“ The original proposition has already been accepted. It has been moved and seconded and the hon. the Raja of Panagal has accepted the Motion.”

The hon. the PRESIDENT :—“ Has the Amendment by the hon. Mr. Siva Rao been disposed of ? ”

Mr. C. RAMALINGA REDDI :—“ No, Sir.”

The hon. the PRESIDENT :—“ I am very sorry I have come in to interrupt you in the middle of what appears to be a very interesting matter ; it would have been far better if I had remained outside just a while more. However, the acceptance of a Motion by the Government does not end the discussion. It may be that a friendly Member may bring a Motion and the Government may accept it. But that cannot put an end to any further discussion. If in

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the course of further discussion it is found necessary to bring in an Amendment, then it will be time to consider whether I should suspend the Standing Orders with respect to the notice. I think it is rather better to allow the discussion to go on now."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I cannot understand the proposition as it is worded. It is rather vague and requires definite Amendments. For instance, the latter portion practically nullifies the effect of the former portion. The only thing the Government has to do is to notify in the gazette that a particular district does not deserve election and that therefore there will be nomination and that settles the matter. Much has been said at the time when the 'No-confidence' Motion was discussed and much has been said about the way in which nominations have been made in the past. Now, the Government have got the right under the Act to declare any presidentship open to election. Therefore to give them some power qualifying it by saying whenever they exercise the power they should publish it in the gazette is something which is not worth the trouble. If we do really attempt to satisfy the aspirations of the people, I think some attempt should be made to restrict the power of the Government under this Act.

3-30 p.m. " If it is clearly specified in the Resolution itself that it is for any particular purpose such as the safeguarding of minorities or some such other thing the position would have been different. Unless we do something to curtail the power of the Government as regards these nominations this Resolution will practically become a dead letter. If we really want to modify the present Act or rather to give effect to the provision of this Act regarding elections materially and to curtail the power that has been now exercised by Government it is very desirable that some more qualifications are put in there, giving the power to Government only in exceptional cases where the interests of the minorities are to be satisfied and so on. Therefore, Sir, I do not like the present wording of the Resolution. Though many of us would like to have some such Resolution as this we would give our full and whole-hearted support if the power of the Government is a little more curtailed restricting the nomination only to cases where the interests of the minorities such as Muhammadans are to be safeguarded. There is a strong opinion that the proposition as it is does not advance the popular cause very much beyond what it is in the present Act. If really we want to restrict the powers of the Government under the present Act, we should have some such powers clearly indicated as to the few cases in which such powers can be exercised. I appeal to the House and to the Mover also to clearly state the circumstances under which Government can exercise this power. If that is done the proposition will have more whole-hearted support from us than it is at present."

Mr. C. RAMALINGA REDDI :—" I never expected to be here this afternoon and I had no idea of intervening in this debate. But in view of the importance of the Resolution tabled I thought I should contribute my little share in the clearing of all the issues involved by this recommendation. Our object is ultimately to try and throw open all the district board presidentships to election. I advisedly use the word 'ultimately' for two reasons, or rather three. At present as things are now, there is no direct election to the district boards. Any gentleman who wants to serve his district as a member of the district board has either to

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get elected first as a member of the taluk board and then by the taluk board to the district board—a process of double distillation—or he has to depend upon nomination whether on the recommendation of the president of the district board or on the hon. the Minister for Local Self-Government. More than once the opinion has been expressed in this House that that state of affairs was very unsatisfactory. Consider, for instance, especially the case of a small minority community like that of the Muhammadans—when I say that I am not pleading for the Muhammadans, but for all minority communities—who have to run the gauntlet of taluk board elections. If they survive, they have to depend upon the Hindu majority to get elected for the district board. Then there is the good grace of the hon. the Minister to fall back upon. But whether that grace has been employed either directly by him or through his agency of the district board president in order to achieve the real object, that it is a debatable matter on which I do not wish to enlarge on the present occasion. So the minority communities are at a terrible disadvantage in respect of the chances they have to serve in the boards. And there is the further difficulty. At present I understand that about one-fourth of the members of the district board may be nominated. We know how these nominations are done. The matter was discussed at a meeting of the advisory board last year on a proposition introduced by my hon. Friend, the then Secretary of that department, who is not unfortunately here. He recommended that in future these nominations may be made by the district collectors and not by the district board presidents.”

The hon. the PRESIDENT:—“We are discussing about the presidents of district boards. The hon. Member is discussing the question of nominations.”

Mr. C. RAMALINGA REDDI:—“Sir, I will not pursue that. For my purpose it is enough if I say that one-fourth of the members are nominated in which nomination the presidents of the district boards play a large part and that therefore when the presidentship is thrown open to election the presidents will practically secure one-fourth of the votes and that will not meet the ends of justice.”

The hon. the RAJA OF PANAGAL:—“Am I to understand, Sir, that the hon. Member is opposed to the Resolution itself?”

The hon. the PRESIDENT:—“The hon. Member will know it later on.”

Mr. C. RAMALINGA REDDI:—“Precisely you have anticipated my reply, Sir. Therefore, those of us who were anxious that these seats should be thrown open for election were anxious not as an item in itself but as an item in a comprehensive reform of the present local board system. Mr. Yahya Ali who in one branch of that system has considerable experience, I believe, pointed out the general lines on which such comprehensive reforms should take place, namely, firstly direct elections to district boards and secondly reservation of seats for the minority communities either by means of special electorates or in some other manner, and then the abolition or minimisation of the nominations. If by these reforms you throw open the presidentships of district boards to election then my Christian friends cannot ask any kind of reservation without which they will have no chance whatsoever under the existing circumstances. I mention this because as it stands this may be democratisation. As a matter of fact even that is not as I shall presently show. The only possible goal for India is some kind of ethnic federalism.

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As the Resolution stands at present it seems to give away with one hand what it receives with the other (hear, hear). For there is this proviso, 'unless for reasons to be notified the Government decide to the contrary.' The suggestion thrown out by my hon. Friend Mr. Yahya Ali, if accepted, would make this Resolution more specific. It would show that as far as possible except for the purpose of securing the district board presidents for minority communities such as the Muhammadans, Indian Christians and depressed classes this power of nomination shall not be employed. The reform shall be that everything shall be thrown open to election unless fighting in the election under the existing circumstances does not mete justice to these minority communities and the benign Government, acting through the hon. the Chief Minister who is responsible to this House, decides to nominate these people. If such nomination is made it shall be to the people of the minorities only and not to others (hear, hear). Therefore I hope I can appeal to the feeling of democracy in this House. If Mr. Yahya Ali's Amendment is moved and accepted the whole difficulty will disappear. I therefore would urge that you should be so good as to permit my hon. Friend to move that Amendment."

The hon. the PRESIDENT:—"The Deputy President has disallowed it. I think I cannot do anything further."

Mr. S. SATYAMURTI:—"With due deference to your knowledge of Standing Orders, I wish to submit this to you Mr. President. I think that whenever an amendment has to be moved without the two days' notice, the President has to first suspend the Standing Order requiring notice of the amendment and then permit the amendment to be moved. Then the question will arise as to whether the amendment is in order or out of order. As far as I remember the Deputy President seemed more concerned with the relevancy of the point raised in the Amendment as to whether the Amendment was in order or out of order and not the previous question whether the two days' notice required was given. No request was made formally to suspend the Standing Order which ought to have been made. I request you will be so good as to suspend the Standing Order and allow my hon. Friend to move the Amendment."

The hon. the PRESIDENT:—"It will be convenient to hear the Deputy President himself."

Diwan Bahadur P. KESAVA PILLAI:—"I think my Friend's memory is not quite correct. The hon. Muslim Member began by saying, 'with your permission Mr. President I beg to move'. I am pleading here as a guilty person."

The hon. the PRESIDENT:—"Certainly not."

Diwan Bahadur P. KESAVA PILLAI:—"I must state that this gentleman (Mr. Satyamurti) was quite incorrect in the statement of facts. The hon. Muslim Member said, 'if you would permit me, Sir, at this stage'. If he had not said so I would not have opposed. Mr. Narasimha Raju wanted to move some amendment and I told him that the President should be asked about that. I am not doing anything like what the hon. Gentleman said. You will be good enough to see whether the request now made is worth considering. I thought it was not proper to allow the Amendment and so I disallowed it. These gentlemen are now making this appeal to you, and calling my order into question."

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Mr. C. RAMALINGA REDDI:—"The Deputy President has been using the plural number. I do not know how many he has intended to cover."

Diwan Bahadur P. KESAVA PILLAI:—"Including yourself, Sir."

Mr. C. RAMALINGA REDDI:—"It is hardly in keeping with the courtesy usually observed in this House."

The hon. the PRESIDENT:—"I would now insist on everybody getting up in his place if he wants to say anything and he must speak when I call upon him to speak. If any breach of that rule is made it will be visited with some serious consequence."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"You have stated, Sir, the point of order which I desired to raise that it is advisable for hon. Members to get up in their seats when addressing."

The hon. the PRESIDENT:—"I think I have stated that very clearly."

Mr. C. RAMALINGA REDDI:—"I did not question the ruling of the hon. the Deputy President either before or now and I had no intention of doing it. But I was under the impression that after the discussion had proceeded to a certain extent the point might be re-opened. I was not appealing to you against the ruling of the Deputy President who seems to be extremely sensitive."

The hon. the PRESIDENT:—"I have heard the explanation of the hon. Member with great pleasure and I am sure my hon. Friend the Deputy President shares that pleasure."

Diwan Bahadur Mr. P. KESAVA PILLAI:—"Quite so."

Mr. S. ARPUDASWAMI UDAYAR:—Mr. President, Sir, I am very thankful to the last speaker, the hon. Member Mr. C. Ramalinga Reddi, for the able manner in which he championed the interests of minorities. As representing a minority, I really think a clear assurance should be given that the cause of these minorities would be safeguarded. If in any district it is found that a member of the district board, be he a Muhammadan or an Indian Christian or a member of the depressed classes, possesses special capacity, ability and talents of administration but at the same time he is not sure of being elected a president, he might be nominated, so that the district board might have the advantage of utilizing his talents and abilities and the community also will not be debarred from the privilege of having one of its ablest members as the president of the district board. The Amendment having been disallowed, might I respectfully ask for an assurance that this clause covers also cases of this kind, that is, where Government see that where the office of the president of a district board is to be thrown open to election, there is no possibility of a Muhammadan gentleman or an Indian Christian gentleman or a member of the depressed classes who has shown remarkable powers and capacity of administration but has no chances of being elected a president, being debarred from being nominated to that post after stating such reasons in the *Fort St. George Gazette*? I wish to have information on this point."

Mr. R. VEERIAN:—"Mr. President, Sir, I assure you that this time I will be as steady as possible in making my speech (laughter). My hon. Friends

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applaud whenever I rise to speak. My hon. Friends listen to me with very great admiration (laughter) because though I am not an orator, to some extent I create a certain amount of enthusiasm and spirit. I have my own impression on this matter and that impression is a sound one as far as my practical knowledge goes. Certainly a good amount of prudence is very essential in this matter. Local conditions should also be taken into consideration. For instance, conditions that are prevailing in the Salem district will be quite different from those in other districts. This House is aware that the district board presidents are vested with executive powers. Therefore, they are bound to utilize their full time in executing their functions in order to satisfy the general public as far as possible. But the results are far from satisfactory. I put it in that strong language, Sir. What I want to suggest is that every District Collector should also be consulted in the matter of either nominating district board presidents or throwing open to election of that office, because the Collectors are the direct agencies of the Government in every district and I am sure they are posted with any amount of information. Even if they are not posted with information, they are able enough to get that information from their daily dealings. That is what I have learnt from my practical knowledge and experience. My hon. Friend Mr. Arpudaswami Udayar has rightly put it, Sir, that the interests of the minority communities will not be protected unless nominations also are made. I quite agree, Sir, that supposing there is a member belonging to the depressed classes and he is an intelligent man possessing great capacity and administrative powers, we cannot ignore his claims. Certainly he is eligible to become president vested with executive powers and I am sure he can do wonders (cheers and laughter). But it is a great pity, Sir, that no such gentleman is appointed up to now. I think that if the office is thrown open to election, nobody belonging to the depressed classes would be elected on account of sentimental objections though not for want of capacity, character or any educational qualification. I am sure there are several energetic men who could do wonders among the members of the depressed classes (hear, hear). I request the hon. the Chief Minister to show his practical sympathy and try his best to nominate members of the depressed classes as district board presidents. He should show this as a practical instance. With this motive, I beg to oppose this Resolution brought forward by my hon. Friend. I think that the present tendency is not much in favour among some hon. Members, that is, of giving powers to the hon. the Chief Minister to nominate persons—, because they think that if that power is given to the Minister, he may nominate a person who is not at all conversant with the conditions of the district. Therefore, they think that it is unnecessary to give such power to the hon. the Minister. But if power is given to the Minister, it helps to some extent the depressed classes. He will try to nominate a member of the depressed classes. When I say this it should not be supposed that I am longing for that post (laughter and cheers), because I think I can do more work outside the Council than inside. If I am given executive functions, all my hands and legs will be tied and I will have to answer numerous persons who will put a lot of interpellations and worry me, and it will be a great bother. Instead of accepting such an office, it is far better not to seek such appointment especially when it has executive functions. But to accept membership in the district board is quite a different thing. With these few remarks, I oppose the Resolution."

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Mr. J. A. SALDANHA :—“ Mr. President, Sir, I am afraid that too much and exaggerated importance has been given to the difficulties of minorities. If I can quote instances from South Kanara, I may mention the case of my Friend Khan Bahadur Abdulla Sahib who is the President of the Taluk Board of Udipi. He has been elected as the president and it looks as if his popularity has made him almost a permanent president. To take the analogous instance of municipality, in Mangalore itself, though the Roman Catholics are in a minority, for several years it was a Roman Catholic that was elected the Chairman of the Municipality.”

Mr. S. ARPUDASWANI UDAYAR :—“ That is not true, Sir.”

Mr. J. A. SALDANHA :—“ I speak from my own experience of Mangalore. Then, take the instance of the Bombay city. There, there is a sort of pact, and a well observed pact, that a Muhammadan, a Hindu, a Parsee, an European, etc., has to be elected by rotation as President of the Corporation. We know that very distinguished men like Sir Ibrahim Rahimtulla and other Muhammadan gentlemen who had taken active part in municipal administration were cheerfully elected presidents unanimously by the Corporation. So I think we should not attach too much importance to minorities being placed in a disadvantage. If gentlemen belonging to minorities such as the Muhammadans take active part in municipal affairs or local board affairs, we may rest assured that our friends belonging to the minority communities will with acclamation be elected presidents. Very often it happens that on account of feuds and conflicts, say among the Hindus or among the sub-castes of a main caste, they often prefer to elect a Muhammadan or an Indian Christian to settle their difficulties, as a gentleman who does not belong to that particular clan is preferred. As to the proposition itself which is before the House, I think the principle of it has been accepted by the hon. the Chief Minister. We should accept it subject to the proviso which is there or subject to any other proviso that may be permitted to be moved in the interests of the minorities if that is considered necessary by the House. But I for one, with the assurance given by the hon. the Chief Minister, accept this Motion proposed by the hon. Mover.”

Sriman BISWANATH DAS Mahasayo :—“ Sir, I am thankful to the previous speaker for having cleared much of the doubts that were entertained by some of the representatives of the minority communities and especially the Muhammadans. I fail to understand how direct election would help in safeguarding the interests of the minorities such as the Muhammadans. If my memory does not fail me, I believe, representatives of Hindus and Muhammadans that met at Lucknow came to the conclusion that the system of communal representation should not be introduced in local boards and local self-government affairs. The system of communal representation in vogue now in India was not referred to by the Southborough Committee and was not very much advocated even in the Joint Committee report. Therefore, I do not find it desirable that we should think of introducing communal representation in the coming Local Self-Government Bill. Even if there is such a representation, I do not know how it would help these minority communities. I think the interests of the minorities will be safeguarded better if they would only trust to the friendship of their brothers of other communities in the district. That seems to be the only guarantee and the only safeguard of their interests. It is only a few months back that we, the District

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Board of Ganjam, unanimously elected a Christian gentleman as Vice-President. If direct representation is given I am sure they cannot have

4 p.m. more than one representative in the district board either from the point of view of the interests connected with the question or from the point of view of principle, and one representative cannot at any moment think of having either a vice-presidency or a membership in any district board, not to speak of presidency. It is therefore hoping against hope to think that an amending Bill which may not be within sight would be a millennium. However I am sorry that I do not agree very much with the Resolution of my hon. Friend Mr. Ranganatha Mudaliyar inasmuch as it does not go far in the sense that it leaves something in the hands of Government to have their own choice. The idea of nomination is something that is abhorrent to me. When the Local Self-Government Bill was considered before the old Council, some Members of that Council fought very hard to have the power of electing presidents. I think, Sir, you were then the Member in charge of the Bill and gave them an assurance that it would be done as soon as possible. You were kind enough to declare, Sir, a few district board presidencies be thrown open for election. As a matter of fact that experiment was tried and found successful. I am sorry that the hon. the Chief Minister has not shown any progress".

The hon. the RAJA OF PANAGAL :—"May I point out, Sir, that during the last three years as many as six boards have been given the privilege of electing their presidents?"

Sriman BISWANATH DAS Mahasayo :—"It is only a few days ago, Sir."

The hon. the RAJA OF PANAGAL :—"It was impossible for the Government to allow this privilege earlier because the boards had been in a transition stage. After the introduction of the Local Boards Act of 1920, most of the taluk boards have been re-constituted. When the district boards were not fully representative, the Government thought that it would not be proper to allow the privilege of having their presidents elected."

Sriman BISWANATH DAS Mahasayo :—"I have taken down what the hon. the Chief Minister said, viz., that the first cause was that the boards were in a transitional stage, the second that the finances were bad, and the third that the boards were reconstituted. I do not know how the reconstitution of boards could delay things of this sort. Some district boards sent their representations to Government last year, and in spite of their repeated requests they have not got the privilege. I know that my Board unanimously, on the motion of non-Brahmans and Mussalman friends of ours, requested the Government more than twice to throw open the presidency for election. This has not been conceded and from the reply that fell from the hon. the Chief Minister, he seems to believe at least it was doubtful. Whether or not those boards that have already asked for franchise of election will have that privilege, he does not make clear. Again, these nominations have not always been welcome, nor were they well received by the people of the district. I have my own impressions about it. Last time when a motion on this very identical subject was moved by my hon. Friend Mr. Siva Rao, the hon. Member for Vizagapatam. (I mean Mr. Narasimha Raju) said that if this privilege were kept very long in the hands of the Ministry they would only bring discredit on the Government or the party in power, and it was therefore desirable that it should be thrown open for election as soon as

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possible. Three years have already passed, and I should like to know what progress we have made. We have done very little and our pace is very slow.

"Then, Sir, if you will look into the newspapers you will see that most of the presidents of district boards—it may be in their private capacity—acted as agents to the parties, and some of them acted as agents to the Ministry here that stood as candidates in their respective districts."

Diwan Bahadur P. KESAVA PILLAI:—"I rise to a point of order. Nearly a dozen Members have spoken like this. I for one deny that I ever acted as agent to the Ministry. It is rather a vilification."

Sriman BISWANATH DAS MAHASAYO:—"I know that. I say that from personal knowledge. I speak of my district, and I apologize if he takes it amiss. I say I have got everything on record. I do not speak anything which I cannot prove."

"This being so, Sir, I think the Resolution does not go very far. The presidentships of district boards should be absolutely left open for election. If my Mussalman friends do think that they do not find places in them, I think as private individuals we shall appeal to the gentlemen belonging to other castes in those districts whether they cannot help the former. I think that would be the best guarantee that they can ever have, or if they want to press any Amendment I for one have no objection. I do not think there will be many in this House who will take objection to that course. Anyway our belief is very strong on the point that we do not go further. With these few words, I support the Resolution."

Mr. T. ADINARAYANA CHETTIYAR:—"Sir, every Member of this House knows that things are not satisfactory in this department. In the first place, we heard that only 6 out of 25 district boards at present enjoy the privilege of electing their presidents. If the hon. the Chief Minister does not seem to be proud of this state of affairs, I need not offer any remarks about it. That the hon. the Chief Minister has conceded that wherever two-thirds of the members of a district board ask for the election of president the elective franchise will be given, is not encouraging. Whether two-thirds of the members ask for it or not, we must insist upon the franchise being given. We know that the concession which he yields is nothing, because it is common knowledge that during the last three years in which he has been in charge of the Local Self-Government portfolio, the composition of the district board, especially the nominated portion, does not represent the views of the majority of the people."

"Mr. President, one of the reasons, not convincing, but all the same adduced by the hon. the Chief Minister, as to why he could not throw open district board presidentships for election was that their finances were bad. Sir, may I ask, what guarantee is there that this financial stringency will not be perpetual and that nominations will not be allowed to go on? I wish also to point out to the hon. the Chief Minister that the aim of all good administration must be not only good, but such as will convince the world that it is good. My previous speaker said that there is a good deal of suspicion regarding nominations. It is true to say, if I am not mistaken, that the gift of nomination has been misused in this particular department, and that suspicion appears to be not altogether groundless when inefficient people were nominated while really better and capable men were available. This

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evil was at no other time so visible as at the time of the last election. My hon. Friend, the previous speaker, has given specific instances. I can add, with the permission of the House, my own experiences, and owing to an evil system, as my hon. Friend, Mr. Saldanha, pointed out instances of what may be called 'perpetual' presidents. The district which I have honour to represent, viz., North Arcot, is groaning under the inequity of such a 'permanent' president. I am speaking from my knowledge of the people of my district and of what people feel there, and I would appeal therefore to the House to insist on the full right of election because it is too late now to delay it, and it does not do well that in these days of reforms we have got only six places to be filled by election out of 25. As regards the minorities, I assure my Mussalman friends and also my hon. Friend, Mr. Veerian, that election will certainly give them better chances of being elected because the world has improved very much, and there is so much of good feeling between the various communities that if district board presidentships are thrown open for election, the minorities are sure to be safeguarded. Of course, I have no objection to any Amendment that may be brought forward to suit minority or special interests.

"As regards the Collector having the power of recommending names, though I am against it on principle, I certainly agree with my hon. Friend, Mr. Veerian, that even that would be better than what is going on at present. I am told that Collectors are afraid to make their own recommendations, because they know that the Ministry would not accept them."

The hon. the RAJA OF PANAGAL :—"May I point out, Sir, that in most of the cases, except where re-nominations were made, the Collectors were consulted and it was on the recommendations of the Collectors that nominations were made."

Sriman BISWANATH DAS Mahasayo :—"To my recollection, in my district, no such thing was done."

The hon. the PRESIDENT :—"Do I understand the hon. Member, Mr. Das, to say that he is aware of all the correspondence that is going on between the Collector and the Government?"

Sriman BISWANATH DAS Mahasayo :—"I have heard that in my district board where nomination was made to the Collector, that nomination was thrown down by the Government, and in his place a man not belonging to the district was nominated. There are glaring instances to show how popular opinion has been set at naught."

Mr. T. ADINARAYANA CHETTIYAR :—"I do not wish to speak on the subject further and I shall conclude by requesting the hon. Members of this House to vote unanimously for the Resolution and not to be deceived by the plausible concession that wherever two-thirds of the members apply for election it will be granted. As the strength of nominated members in the district boards now stands, we cannot easily get two-thirds of the members for sending such a representation to the Government. I, therefore, vote for the original proposition of the hon. Member, Mr. A. Ranganatha Mudaliyar."

Khan Bahadur P. KHALIF-UL-LAH SAHIB :—"May I request you, Sir, Mr. President, to kindly suspend the standing order requiring notice for moving an Amendment as I very much desire to move an Amendment to the proposition which has been moved by my hon. Friend, Mr. Ranganatha Mudaliyar?"

4-15 p.m.

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The permission having been granted, Khan Bahadur P. KHALIF-UL-LAH SAHIB continued :—

“ Mr. President, Sir, whilst thanking you for the kind permission which you granted me to move my Amendment, I will at once place it before the House for its unanimous approval of the same. My Amendment runs as follows :

‘ From the original Resolution, *delete* the words “ unless, for reasons to be notified in the Fort St. George Gazette, the Government decide to the contrary ” and *substitute* the words “ subject to the reservation that nominations may be resorted to for the purpose of securing adequate representation to Mussalman and other minority communities.”

“ This hon. House has already heard many of my previous speakers, especially the hon. Members, Mr. Saldanha, Mr. S. Arpudaswami Udayar, and Mr. Veerian, speaking more or less on the lines of the Amendment which I have now placed before the House for approval. I do not deny the force of the argument which has been so ably put forward by the hon. Mover of this proposition and my Friend, Mr. Adinarayana Chettiyar, with regard to the utility and the advantage of having a clear rule for elections to the district board presidency throughout the province. While conceding that principle, I must also point out that there are other points to be considered and other circumstances to be taken note of, which are peculiar to India, viz., India does not contain only one community. It is made up of several communities, some of which command a great majority, while others happen to occupy a position of extreme minority. Of these minority communities, there is not one or two, but a good large number consisting mainly of Muhammadan, Christian and a host of other communities whose interests cannot reasonably be expected to be taken care of by the majority community. By this I do not mean to blame the members that belong to the majority community at all. It is only reasonable on their part to grant that the members of these minority communities know better the wishes of their community than members of the majority communities. Of course my hon. Friend, Mr. Saldanha, referred to what is happening in the Bombay Presidency where there is a sort of convention that the place goes automatically year after year, once to a Muhammadan, another time to a Hindu, and the third time to a Christian and so on by way of rotation. But I beg to draw his attention to the fact that, so far as the Madras Presidency is concerned, we are not yet educated to that high standard of recognizing the real claims of other communities and since a convention has not yet sprung up in this province, I beg to submit that my Amendment must find approval until such a convention gets established in this province also.”

Mr. J. A. SALDANHA :—“ I referred also to Udipi which is part of this province.”

Khan Bahadur P. KHALIF-UL-LAH SAHIB :—“ Of course, I thank my hon. Friend for having drawn my attention to what he said with reference to South Kanara. I beg to point out to my hon. Friend that that is a case of exception to the rule and not the rule. What I want to propose now is that the rule itself should be so altered as to give room for the minority communities, not by way of exception to the rule, but under the rule itself. Of course, the claims of the minorities and the only way of their claims being recognized have been just put forward ably by my hon. Friend from Trichinopoly, Mr. Arpudaswami Udayar, and Mr. Veerian. Therefore I have not

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much to say on that behalf. I only wish to draw attention to what happened quite recently in one of the first-class district boards of this province. My hon. Friend Mr Saldanha just now said that the minority community may not generally suffer under the rules as at present or under the rules that may be framed if the present Motion is carried by this House. I would only point out to him a recent case in which there were two candidates put up for a certain place in a district board and everybody admitted that the candidate from the minority community was certainly preferable on all hands to the other candidate who came from the majority community, I mean from the non-Brahman community. Though every one, at any rate, most of the members were of opinion that the minority candidate was preferable to the other candidate, still, when the voting was taken, it was clearly found that it was the other candidate that had the majority and the candidate that was best fitted for the place had to get defeated. I need not add so many other similar instances which have occurred through the Presidency."

The hon. Rao Bahadur A. P. PATRO:—"May I know if the hon. Member is referring to the Trichinopoly municipality?"

Khan Bahadur P. KHALIF-UL-LAH SAHIB:—"I have already said that it is not with reference to a municipality, but it is with reference to a district board."

The hon. Rao Bahadur A. P. PATRO:—"Which district board?"

Khan Bahadur P. KHALIF-UL-LAH SAHIB:—"Trichinopoly District Board."

The hon. the RAJA OF PANAGAL:—"The President of the Trichinopoly District Board is a nominated president. There is no question of election to that office."

Khan Bahadur P. KHALIF-UL-LAH SAHIB:—"I did not refer to the presidentship at all. I meant the election to the office of the vice-president. It is only by way of example that I draw the attention of the House to what happened with reference not to the presidentship of the district board, but to the vice-presidentship of a very important district board. If that is the case with the office of vice-presidentship, I think it will be much more so in the case of election to the presidentship. That is why I have come forward, as representing a minority community, and as realizing the actual difficulties of a minority community, whether it is Muhammadan or Christian or any other, with this general Amendment including all the minority communities together. I hope it will find the unanimous approval of the House."

Mr. S. SATYAMURTI:—"Mr. President, I rise to second this Amendment moved by my hon. Friend Mr. Khalif-ul-lah with very great delight. It may seem at first sight somewhat strange that one who by conviction and training, is pledged to democratic institutions, election all through and election all round, is found to support an Amendment which may seem reactionary. But I may explain, Sir, that the Resolution which the Chief Minister said he accepted, although this House is much obliged to him, I may respectfully point out, means nothing so far as it concerns the Government. The Resolution as it stands says: 'Unless, for reasons to be notified in the *Fort St. George Gazette*, the Government decide to the contrary.' Therefore, the right of nomination is still conceded by the original Resolution as it stands. But this Amendment says that nomination can be

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made only for certain specific purposes, viz., the representation of minority communities. Much as I hate and loathe nomination, I would rather have nomination for the purpose of promoting the larger interests and the solidarity of this great nation, than for pleasing the whims and caprices of the Minister for Local Self-Government. I would therefore suggest that the Amendment now proposed is much more progressive than the Resolution, although the wording of it may seem somewhat reactionary."

Rao Bahadur C. NATESA MUDALIYAR:—"Mr. President, Sir, I am very glad to find that my hon. Friends, the Muhammadan Members, are taking care of themselves. They want to safeguard their communal claims. I am glad also to find my hon. Friend, the Swarajists' Leader, Mr. Satyamurti, recognizes the communal claims at least as far as our Presidency is concerned. (Laughter.) Sir, I have nothing more to do than to stand here and express my joy at that. Sir, I have been for the last three years struggling hard to safeguard communal claims. I am very glad that I find support in all these groups (Opposition benches).

"Sir, the hon. Member, Mr. Saldanha, was speaking of special cases. He was speaking of taluk boards and municipalities. He never spoke of district boards. Taluk boards and municipalities have got only limited electorates. There is not a single Muhammadan president (district board) in the whole of this Presidency. This fact I brought to the notice of the hon. the Chief Minister, when I was occupying a seat on the Ministerialist benches. Of course I do not know how it escaped his notice."

The RAJA OF RAMNAD:—"May I just say that Sir Muhammad Habib-ul-lah was a district board president?"

Rao Bahadur C. NATESA MUDALIYAR:—"I am not now speaking of the pre-Reform days, but I am speaking of the Ministry days.

"The hon. Member, Mr. Saldanha, was speaking about the Bombay Corporation having one Muhammadan, one Parsi and one Hindu by rotation. It is that rotation we want here too. Moreover, speaking on the Resolution itself, it was tabled because the hon. Member, Mr. Ranganatha Mudaliyar, was dissatisfied with the nominations. I do not know whether this Resolution will serve his purpose. I think the hon. the Minister's assurance was more hopeful than the Resolution itself, and unless this Amendment is carried on with the Resolution, deleting certain words and substituting some other words as the hon. Member, Mr. Khalif-ul-lah's Amendment suggested, I do not think that this Motion itself will be of any use. I hope the hon. the Minister himself will accept the amended Resolution."

Mr. A. RAMASWAMI MUDALIYAR:—"Mr. President, I would like to say a few words on the amendment proposed by my hon. Friend Mr. Khalif-ul-lah. I may say at the very outset, Sir, that having pleaded for communal representation on the floor of this Legislative Council time after time it would not come with good grace if I were to oppose it, nor do my inclinations carry me that way. I have been suggesting, as has been pointed out by my hon. Friend, that every community ought to be properly represented in these local bodies and therefore if I were to suggest a solution to this difficulty of my hon. Friend it would be in this wise,

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"Sir, the Resolution as it stands in the name of Mr. Ranganatha Mudaliyar gives a little wider discretion to the Government, and that wider discretion, I submit, is absolutely necessary. There are tracts like the Agency tracts over which the district board president rules. It is possible that this wide power of election may not fit in with the conditions that exist in the Agency tracts. There is the Nilgiris District Board. It may not be possible for the district board to be given immediately the right of election—I do not say anything on the merits of the question—but it is just possible that here and there, there must be some districts to which, on grounds of public policy, the hon. Minister may not be able to give the right of election. For such cases there ought to be power inherent in him—the power of nomination. Therefore I would suggest, that besides giving effect to the idea of my Muhammadan brethren, the Amendment that I am going to suggest would be in keeping with the spirit of both the Resolution and the idea of the hon. the Mover. I do not formally move my Amendment. Neither have I the power to do so. If I may suggest an Amendment like this and if we might come to an understanding I would request my hon. Friend to withdraw his Amendment and let me put forward mine. What I would propose is this:—

That this Council recommends to the Government that all district boards should be given the right to elect their own presidents unless for securing adequate representation of the Muhammadans and other minority communities or for other reasons to be notified in the Fort St. George Gazette, the Government decide to the contrary.

"My hon. Friend appealed for a unanimous Resolution on this subject. I am perfectly willing to co-operate with him to get that unanimous Resolution. I suggest, and I appeal to him that for the sake of unanimity and for the sake of giving expression to the principle which I profess in common with him, he should withdraw his Amendment and let me, with the permission of the hon. the President and of this House, put forward this Amendment which embodies all the vital principles for which he stands."

The hon. the PRESIDENT:—"Order, order. Will the hon. Member Mr. Khalif-ul-lah Sahib say whether he wishes to withdraw his Amendment on that assurance?"

Khan Bahadur P. KHALIF-UL-LAH SAHIB:—"I take it that the amendment proposed by the hon. Member Mr. Ramaswami Mudaliyar adds another clause which is already found in the original Resolution itself and as such I have no objection to adopt the Amendment proposed."

The hon. the PRESIDENT:—"Will the hon. Member withdraw his own Amendment? The hon. Member Mr. Ramaswami Mudaliyar has asked Mr. Khalif-ul-lah to withdraw his Amendment and promised to put forward his. Honourable Members may decide matters among themselves."

Khan Bahadur P. KHALIF-UL-LAH SAHIB:—"Sir, I request you to allow me two minutes to consult privately the nature of the Amendment with Mr. Ramaswami Mudaliyar."

The hon. the PRESIDENT:—"I have no objection to do so provided it is done outside the Chamber. We will meantime go on with the discussion of the amendment of Mr. Khalif-ul-lah."

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The permission having been granted, Khan Bahadur P. KHALIF-UL-LAH SAHIB continued :—

“ Mr. President, Sir, whilst thanking you for the kind permission which you granted me to move my Amendment, I will at once place it before the House for its unanimous approval of the same. My Amendment runs as follows :

‘ From the original Resolution, *delete* the words “ unless, for reasons to be notified in the Fort St. George Gazette, the Government decide to the contrary ” and *substitute* the words “ subject to the reservation that nominations may be resorted to for the purpose of securing adequate representation to Mussalman and other minority communities.”

“ This hon. House has already heard many of my previous speakers, especially the hon. Members, Mr. Saldanha, Mr. S. Arpudaswami Udayar, and Mr. Veerian, speaking more or less on the lines of the Amendment which I have now placed before the House for approval. I do not deny the force of the argument which has been so ably put forward by the hon. Mover of this proposition and my Friend, Mr. Adinarayana Chettiyar, with regard to the utility and the advantage of having a clear rule for elections to the district board presidentship throughout the province. While conceding that principle, I must also point out that there are other points to be considered and other circumstances to be taken note of, which are peculiar to India, viz., India does not contain only one community. It is made up of several communities, some of which command a great majority, while others happen to occupy a position of extreme minority. Of these minority communities, there is not one or two, but a good large number consisting mainly of Muhammadan, Christian and a host of other communities whose interests cannot reasonably be expected to be taken care of by the majority community. By this I do not mean to blame the members that belong to the majority community at all. It is only reasonable on their part to grant that the members of these minority communities know better the wishes of their community than members of the majority communities. Of course my hon. Friend, Mr. Saldanha, referred to what is happening in the Bombay Presidency where there is a sort of convention that the place goes automatically year after year, once to a Muhammadan, another time to a Hindu, and the third time to a Christian and so on by way of rotation. But I beg to draw his attention to the fact that, so far as the Madras Presidency is concerned, we are not yet educated to that high standard of recognizing the real claims of other communities and since a convention has not yet sprung up in this province, I beg to submit that my Amendment must find approval until such a convention gets established in this province also.”

Mr. J. A. SALDANHA :—“ I referred also to Udipi which is part of this province.”

Khan Bahadur P. KHALIF-UL-LAH SAHIB :—“ Of course, I thank my hon. Friend for having drawn my attention to what he said with reference to South Kanara. I beg to point out to my hon. Friend that that is a case of exception to the rule and not the rule. What I want to propose now is that the rule itself should be so altered as to give room for the minority communities, not by way of exception to the rule, but under the rule itself. Of course, the claims of the minorities and the only way of their claims being recognized have been just put forward ably by my hon. Friend from Trichinopoly, Mr. Arpudaswami Udayar, and Mr. Veerian. Therefore I have not

[Mr. Abbas Ali Khan]

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in our country in these boards in order to reach full self-government. It is not our policy to clog the progress of any community. What we object to is that the Justice Party has by appointing the stormy patrols of their party forced the Ministry into a policy of negation and drift. The result is that the taluk boards and the district boards are now full of their proteges.

4-45 p.m. "They allowed the administration of the district boards and taluk boards to go absolutely into disrepair and disuse, and the huge machinery of Local Self-Government became nothing but a party machine. Now, Sir, I may say that I admire the Englishman with all his faults for this thing. Supposing that I personally request a favour from an Englishman, however friendly I may be with him, he will consider and say, yes or no, irrespective of that friendship. If he says 'yes', it is final and if he says the opposite, that also is final. But the Ministers, when the requests proceed from men belonging to the Justice Party, have not got the courage to say 'no' to them because it is a party matter. And the result has been that they have allowed the taluk boards and district boards to go out of their groove. Even now, if the Minister would make up his mind and take the matter into his own hands and not allow himself to be carried away by the party men, I am sure every Member of this House will co-operate with him very loyally and also co-operate with his party, if it pursues its object of the elevation of backward and minority communities. Sir, it has been tom-tomed or, to use a Parliamentary expression, it has been widely advertised that we Muhammadans are a set of non-co-operators who have come into this Council with the object of giving a set back to the Reforms by joining the Swarajists. Nothing is further from our minds, and nothing is more distasteful to us than that. I may, Sir, speaking on behalf of my community, make a clear statement of the policy animating the Muhammadans. We do not want to embarrass the bureaucracy or the Government. We are ready to co-operate with the Government if we find that the Justice Party will so act up to their principles and policy as to advance their future and our future alike. I am sorry I have had to make such an open attack upon the Ministers for their inaction regarding Muhammadans for the last three years. We have come to this House to serve and not to rule, and if any party will come forward with an undertaking that they have come to rule and advance the interests of the country and our community, we will join that party, whether it be the Swaraj Party, the Brahman Party or any other party (hear, hear). Therefore, Sir, without taking up any more time of the House, I may repeat that the hon. the Ministers have allowed themselves to be influenced by the satellites of the Justice Party, they have played into the hands of an undesirable set of people who I am afraid, if this continues long, may ruin the interests of the country, and the sooner they are removed from their places the better. We know personally many facts and a lot of unpleasant things have come to our notice. Therefore I would appeal to the Ministers and the Justice Party to have their eyes wide open even in their future actions and see that their aim of elevating all communities is pursued."

The hon. the PRESIDENT:—"Is the hon. Member Mr. Khalif-ul-lah prepared to make any statement with regard to his amendment?"

Khan Bahadur P. KHALIF-UL-LAH SAHIB:—"Mr. President, Sir, in view of the amendment which is proposed to be moved by Mr. Ramaswami

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Mudaliyar, I beg leave to withdraw my amendment, with the permission of the House."

The amendment was by leave withdrawn.

Mr. A. RAMASWAMI MUDALIYAR:—"Mr. President, Sir, I request that the Standing Orders be suspended so as to permit me to move another amendment to the Resolution moved by Mr. Ranganatha Mudaliyar."

The hon the President then suspended the Standing Order as requested.

Mr. A. RAMASWAMI MUDALIYAR:—"Sir, I beg to move the following amendment to the Resolution under discussion:—

Delete all the words after the word 'unless', and *substitute* therefor the following:—

'for securing the adequate representation of Muhammadans and other minority communities or for other reasons to be notified in the *Fort St. George Gazette*, the Government decide to the contrary.'"

MUHAMMAD YAHYA ALI SAHIB seconded the motion.

Mr. A. RANGANATHA MUDALIYAR:—"Sir, I accept the amendment proposed by Mr. Ramaswami Mudaliyar."

Mr. P. ANJANEYULU:—"May I know, Sir, if the word 'minorities' includes Brahmans?"

The hon. the PRESIDENT:—"I do not know if they are in a minority. The hon. Member must look up the census reports to find out if Brahmans are in a minority."

The hon. the President then put Mr. Ramaswami Mudaliyar's amendment to the vote, and it was carried.

The original resolution, as amended, was then put to the House and carried.

The House then adjourned at 4-50 p.m. to meet again at 11 a.m. the next day.

L. D. SWAMIKANNU,
Secretary to the Legislative Council.